



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

2008V00872

*271 Cadman Plaza East
Brooklyn, New York 11201*

July 29, 2008

**VIA ELECTRONIC CASE FILING
AND HAND-DELIVERY**

Honorable Eric N. Vitaliano
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Overview Books and Lev Tsitrin v. United States, *et al.*
Case No. CV-08-1842 (Vitaliano, J.) (Pollak, M.J.)

Dear Judge Vitaliano:

The undersigned Assistant United States Attorney represents the United States of America, the Library of Congress, and James H. Billington, the Librarian of Congress, in the above-referenced civil action, in which the plaintiffs are challenging the constitutionality of the Library of Congress' Cataloging in Publication Program.

In accordance with the parties' agreement at today's pre-motion conference, this letter is submitted to request entry of the following briefing schedule for the Defendants' motion to dismiss and/or for summary judgment:

Defendants' motion to be served by Sept. 12, 2008;

Plaintiffs' opposition (in hardcopy and pdf format) to be served by October 17, 2008;

Defendants' reply to be served by November 7, 2008.

The parties will submit courtesy copies of their motion papers directly to chambers at time of service. This office will file the fully-briefed motion with the Clerk's Office via ECF on November 7, 2008.

Respectfully submitted,

BENTON J. CAMPBELL
United States Attorney

Steven M. Warshawsky

By:

Steven M. Warshawsky (SW 5431)
Assistant U.S. Attorney
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SO ORDERED.

HONORABLE ERIC N. VITALIANO
United States District Judge

DATE

cc: Norman Finkelshteyn, Esq.
Counsel for Plaintiffs
via ECF